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Martha S. Sloan
(signature)

Date of signature and deposit -

May 15, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Frank E. Semersky

Serial No. 10/684,611

Filed: October 14, 2003

For: CONTAINER HAVING FOAM
LAYER

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Group Art Unit: 1771

Examiner: Hai Vo

Attorney Docket: 1-36691

May 15, 2006

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Honorable Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner dated December 1, 2005, finally rejecting Claims 1-25.

The Commissioner is hereby authorized to charge \$250.00 for a small entity and any additional filing fees for, *inter alia*, the requested extension of time, to Deposit Account No. 50-3156.

Respectfully submitted,

Donald R. Fraser

Donald R. Fraser

Registration No. 17,919

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